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July 14, 2023

Via CM/ECF System

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Courtroom 618
New York, NY 10007

MEMO ENDORSED

Re: Request to Extend Time and Adjourn Initial Pretrial Conference
Travelers, et al. v. MSC Mediterranean Shipping Company S.A.
SDNY Civil Action No. 23-cv-3971 (KPF)
Our Ref: 35415

Dear Judge Failla:

We represent Plaintiffs Travelers Property Casualty Company of America, National Union Fire Insurance Company of Pittsburgh, PA and Trader Joe's Company in the above-referenced action.

Pursuant to section 2.D of Your Honor's individual rules, we write with the consent of Defendant MSC Mediterranean Shipping Company S.A. to respectfully request that:

- (i) MSC's time to answer the complaint be extended by 30 days to August 17, 2023; and
- (ii) the initial pretrial conference currently scheduled for August 4, 2023 at 2:30 be adjourned to a date of the Court's convenience after September 6, 2023.

Under the waiver of service executed by MSC's house counsel (reading in copy), MSC's answer is currently due on Monday July 17, 2023. *See* Dkt. #8. These are the first such extension and adjournment requests made by any party in this matter.

The parties have been engaged in productive settlement discussions and are optimistic that an agreement will be reached to resolve this action in the near future without the need for further litigation. Accordingly, the parties respectfully request a 30-day extension and adjournment to conserve judicial resources and to accommodate their ongoing negotiations.

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We thank the Court for its consideration of the foregoing and stand ready to answer any questions that the Court may have with respect to the parties' requests.

Respectfully submitted,
HILL RIVKINS LLP



Justin M. Heilig

Cc: Nicholas Hargreaves (via email: nicholas.hargreaves@msc.com)

Application GRANTED. Defendant's deadline to file an answer is hereby ADJOURNED to August 17, 2023, and the initial pretrial conference currently scheduled for August 4, 2023, is hereby ADJOURNED to **September 20, 2023, at 4:00 p.m.**

The Clerk of Court is directed to terminate the pending motion at docket number 10.

Dated: July 17, 2023
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE